

Application Serial No. 10/790,038
Reply to Office Action of October 6, 2006

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 3, 5, 6, 9, and 11-22 are presently active in this case, Claims 15-22 having been added by way of the present Amendment. Care has been taken such that no new matter has been entered. (See, e.g., Figure 1 and page 13, lines 24-27.)

As the independent claims are believed to be in condition for allowance for the reasons discussed below, the Applicants respectfully request entry of the newly added dependent claims set forth herein, which are also believed to be in condition for allowance for at least the reasons set forth for the independent claims from which they respectively depend.

The Applicants want to thank Examiner Lucy Thomas for the courtesies extended to Applicants' representative, Christopher Ward, during the telephone conversation of February 2, 2007. During the conversation, the arguments set forth below with regard to independent Claim 3 and 9 were discussed, and the newly added claims were briefly discussed. Examiner Thomas indicated that the arguments set forth below do overcome the present rejections of Claims 3 and 9; however, Examiner Thomas initially indicated that the features in the Kumar et al. reference being cited for the third and fourth ends of Claims 3 and 9 could be reversed in order to reject the claims. However, the Applicants' representative noted that such a rejection was previously made in the December 16, 2005, Official Action, and that such a rejection was overcome and withdrawn based on the arguments set forth in the Amendment filed on June 16, 2006. Accordingly, the Applicants respectfully submit that Claims 3 and 9

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are in condition for allowance, for the reasons set forth below and set forth in the Amendment filed on June 16, 2006.

Claims 3, 5, 6, 9, and 11-14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar et al. (U.S. Patent No. 5,880,924) in view of del Puerto et al. (U.S. Patent No. 6,778,258) and Poli et al. (U.S. Patent No. 5,280,979). For the reasons discussed below, the Applicants respectfully traverse the obviousness rejection.

The basic requirements for establishing a *prima facie* case of obviousness as set forth in MPEP 2143 include (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, (2) there must be a reasonable expectation of success, and (3) the reference (or references when combined) must teach or suggest all of the claim limitations. The Applicants submit that a *prima facie* case of obviousness has not been established in the present case because the references, either when taken singularly or in combination, do not teach or suggest all of the limitations recited in independent Claims 3 and 9.

Claims 3 and 9 of the present application recite, among other features, a charge eliminating mechanism comprising a contact terminal including a third end and a fourth end, where the fourth end is electrically connected to a first end of a grounded wiring line, and where a contact state of the third end and a stage is physically turning on/off, and when the third end is in contact with the stage, the stage is grounded, and wherein at least one of the contact terminal and the stage includes an elastic contact mechanism to cause the third end of the contact terminal and the stage to come into elastic contact with each other. The cited

references, either when taken singularly or in combination, fail to disclose the third end defined in independent Claims 3 and 9.

The Official Action cites chuck (20) of the Kumar et al. reference as the stage of the present invention. Additionally, the Official Action cites the grounded line of the switching circuit (165) depicted in Figure 4 for the teaching of the grounded wiring line of the present invention. The Official Action cites the side of the switching circuit (165) opposite to the grounded line, and the wire that electrically connects the switching circuit (165) to the discharge electrode (85) as the mechanical switching mechanism of the present invention. Regarding the third and fourth ends of the mechanical switching mechanism of the present invention, the Official Action cites the end of the wire adjacent electrode (85) as the third end and the movable switch of the switching circuit (165) as the fourth end. However, the Applicants respectfully submit that the end of the wiring adjacent to electrode (85), which is being cited for the teaching of the third end of the contact terminal of the mechanical switching mechanism of the present invention, does not read on the third end recited in Claims 3 and 9.

The claims recite a mechanical switching mechanism arranged between a stage and a first end of a grounded wiring line. As noted above, the Official Action cites the side of the switching circuit (165) opposite to the grounded line, and the wire that electrically connects the switching circuit (165) to the discharge electrode (85) as the mechanical switching mechanism of the present invention, and the Official Action cites the end of the wire adjacent electrode (85) as the third end. However, Claims 3 and 9 recite that a contact state of the third end *and the stage* is physically turning on/off. The Applicants note that the end of the wire adjacent electrode (85), which is cited for the third end, is always in contact with the

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chuck (20), and therefore the contact state between the wire adjacent the electrode (85) and the chuck (20) cannot provide a contact state that physically turns the device on and off. Additionally, Claim 3 and 9 also state that *when the third end is in contact with the stage, the stage is grounded*. As noted above, the end of the wire adjacent electrode (85), which is cited for the third end, is always in contact with the chuck (20), and therefore for this limitation to be read in the manner suggested in the Official Action would mean that the chuck (20) would always be grounded, which is clearly not the case. Thus, such an interpretation of the third end is erroneous. Furthermore, Claims 3 and 9 recite an elastic contact mechanism to cause *the third end of the contact terminal and the stage to come into elastic contact with each other*. Clearly, the end of the wire adjacent electrode (85), which is cited for the third end, is not in elastic contact with the chuck (20).

Accordingly, the Applicants respectfully submit that the wire adjacent to electrode (85) in the Kumar et al. reference cannot be read on the recitation of a third end, as defined in Claims 3 and 9. Additionally, the del Puerto et al. and Poli et al. reference fail to supplement this deficiency. Thus, the Applicants respectfully submit that a *prima facie* case of obviousness has not been established with respect to Claim 3 and 9.

Accordingly, the Applicants respectfully request the withdrawal of the obviousness rejection of Claims 3 and 9.

The dependent claims are considered allowable for the reasons advanced for the independent claim from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

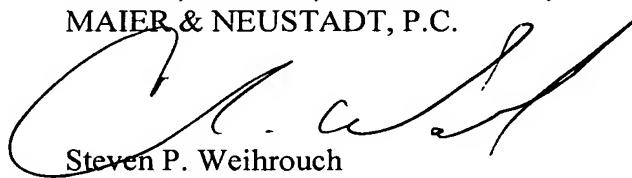
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For example, newly added dependent Claim 15 recites that the elastic contact mechanism is configured to cause the third end of the contact terminal and the stage to come into elastic contact with each other when the stage is moved in X and Y directions, or when the stage is rotated about an axis thereof. Such features are not disclosed in the cited reference, either when taken singularly or in combination. The Official Action cites the del Puerto et al. reference for the teaching of the elastic contact; however, this reference describes a configuration in which stage (218) is moved in a Z direction in order to establish contact to contact pads (228, 229) that are specifically provided on the bottom surface of the chuck (211).

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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